

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 2051

Hiroshi SOHMA et al.

Group Art Unit: 1795

Application No.: 10/714,394

Examiner: Laura S. WEINER

Filed: November 17, 2003

Attorney Docket No.: 101175-00037

For: ELECTRODE STRUCTURE FOR POLYMER ELECTROLYTE FUEL CELLS,
AND POLYMER ELECTROLYTE FUEL CELL USING THE SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 6, 2009

Sir:

Pursuant to 37 CFR §1.56, the attention of the U.S. Patent and Trademark Office is hereby directed to the information items listed on the attached PTO/SB/08. Unless otherwise indicated herein, one copy of each item is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the items be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☐ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that:
- ☐ (1) each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1). No fee is required.
- ☐ (2) no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the best of my knowledge after making reasonable inquiry, no item of information in this Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

No fee is required.

- ☐ b. Since neither certification of paragraphs a(1) or a(2) above is being made, payment of the fee under 37 CFR §1.17(p) is made by credit card. Please charge any fee deficiency or credit any overpayment to Deposit Account Number 01-2300, referencing Attorney Docket Number , as needed to ensure consideration of the disclosed information.
- ☒ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Payment of the fee under 37 CFR §1.17(p) is made by credit card. Please charge any fee deficiency or credit any overpayment to Deposit Account Number 01-2300, referencing Attorney Docket Number 101175-00037, as needed to ensure consideration of the disclosed information.
- ☒ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☒ 4. The references are cited in a Japanese Office Action dated December 16, 2008, for counterpart Japanese Patent Application Number 2003-387362. English language Abstracts of the non-English language references are attached hereto.

Respectfully submitted,



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DCR:vmh

Enclosures: PTO/SB/08a
Japanese Office Action
References (3)